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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,512	02/15/2002	Thomas W. Booth	BOOT-0522	3349
23123	7590	03/03/2005	EXAMINER	
SCHMEISER OLSEN & WATTS 18 E UNIVERSITY DRIVE SUITE # 101 MESA, AZ 85201			ROCHE, TRENTON J	
			ART UNIT	PAPER NUMBER
			2124	

DATE MAILED: 03/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/077,512

Applicant(s)

BOOTH, THOMAS W.

Examiner

Trent J Roche

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 13-30 is/are rejected.
- 7) ☒ Claim(s) 11 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2002 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 02152002.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This office action is responsive to communication filed 15 February 2002.
2. Claims 1-30 have been examined.

Allowable Subject Matter

3. Claims 11 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-10 and 13-30 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S.

Patent 5,446,842 to Schaeffer et al, hereafter referred to as Schaeffer.

Per claim 1:

Schaeffer discloses:

- a method of developing a software application (“development environment...” in col. 3 line 37)
- receiving a first copy of a software application from a software application server (“retrieves a copy of the document from the model server...” in col. 38 lines 19-20)

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- running the first copy of the software application within a development environment (“development environment...” in col. 3 line 37)
- modifying at least one property of the first copy of the software application (“modify or manipulate data...” in col. 10 line 24)
- sending an update notice to the software application server to indicate the modification of the property (“When a change occurs the encapsulator asks the model to propagate notification about the change to all interested clients” in col. 10 lines 12-14)

substantially as claimed.

Per claim 2:

The rejection of claim 1 is incorporated, and further, Schaeffer discloses receiving an update notice from the software application server and updating at least one property in at least one properties table associated with the at least one copy of the software application in response to the update notice as claimed (“the data changes and notification is sent...a command is executed which changes the value of the data being reflected...” in col. 18 lines 39-41)

Per claim 3:

The rejection of claim 2 is incorporated, and further, Schaeffer discloses the update notice reflecting a modification of a property in the properties table of a second copy of the software application while the first copy of the software application is running as claimed (“the data changes and notification is sent...a command is executed which changes the value of the data being reflected...” in col. 18 lines 39-41. Further, “the collaborators start with identical copies of the data...” in col. 7 lines 14-15)

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Per claim 4:

The rejection of claim 1 is incorporated, and further, Schaeffer discloses running a copy of the development application to establish the development environment as claimed (Note Figure 13 and the corresponding sections of the disclosure.)

Per claim 5:

The rejection of claim 1 is incorporated, and further, Schaeffer discloses the software application being the development application as claimed (Note Figure 13 and the corresponding sections of the disclosure.)

Per claim 6:

The rejection of claim 1 is incorporated, and further, Schaeffer discloses storing the modified property in at least one property table associated with the first copy of the software as claimed (Note Figure 7 and the corresponding sections of the disclosure.)

Per claim 7:

The rejection of claim 1 is incorporated, and further, Schaeffer discloses visual control properties as claimed (Note Figure 7 and the corresponding sections of the disclosure.)

Per claim 8:

The rejection of claim 7 is incorporated, and further, Schaeffer discloses a visual control properties table to define the visual controls of the running first copy of the software application as claimed

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(Note Figure 7 and the corresponding sections of the disclosure. The properties of the checkbox indicate whether the box is checked or unchecked, and these properties are stored in the properties table of the checkbox.)

Per claim 9:

The rejection of claim 5 is incorporated, and further, Schaeffer discloses deleting the copy of the software application from the client as claimed (“Presentations may be deleted when persistent presentation information...is no longer required” in col. 25 lines 15-18)

Per claim 10:

Schaeffer discloses:

- a method of developing a software application (“development environment...” in col. 3 line 37)
- receiving a first copy of a software application from a software application server (“retrieves a copy of the document from the model server...” in col. 38 lines 19-20)
- running the first copy of the software application within a development environment (“development environment...” in col. 3 line 37)
- modifying at least one property of the first copy of the software application (“modify or manipulate data...” in col. 10 line 24)
- storing the modified property in at least one properties table associated with the first copy of the software (“the data changes...a command is executed which changes the value of the data being reflected by the control” in col. 18 lines 39-41. The data for the control is inherently stored in a table.)

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- testing the operation of the modified property of the first copy of the software application within the development environment by referencing the properties table associated with the first copy of the software (“The checkbox received notification from the data, and the processing to display the checkbox correctly...the command goes through the selection to the data to make sure it really knows the correct value” in col. 19 lines 36-42)

substantially as claimed.

Per claim 13:

The rejection of claim 10 is incorporated, and further, Schaeffer discloses sending an update notice to the application server to indicate the modification to the property (Note the rejection regarding claim 1) and updating at least one property in the properties table in response to at least one update received from the application server resulting from a modification of a property in at least one properties table of a second copy of the software application while the first copy of the software application is running (Note the rejections regarding claims 2 and 3) as claimed.

Per claim 14:

Schaeffer discloses:

- a method for simultaneous development of a software application by two or more clients (“development environment...” in col. 3 line 37. Further, “Same-time network collaboration means that two ore more people edit the same documents at the same time” in col. 17 lines 25-26))
- running the first copy of the software application in conjunction with a first development application and a second copy of the software application in conjunction with a second

development application (“development environment...” in col. 3 line 37. Further, “applications running on one or more computer systems. The applications commence operation in a consistent state and the consistency is maintained by distributing commands to each application...” in col. 1 line 67 to col. 2 line 3)

- modifying a first property of the first copy of the software application using the first development application and modifying a second property of the second copy of the software application using the second development application (“modify or manipulate data...” in col. 10 line 24. Further, “applications running on one or more computer systems. The applications commence operation in a consistent state and the consistency is maintained by distributing commands to each application...” in col. 1 line 67 to col. 2 line 3))
- storing the modifications to the first property in at least a first property table associated with the first copy of the software application and storing the modifications to the second property in at least a second property table associated with the second copy of the application (“the data changes...a command is executed which changes the value of the data being reflected by the control” in col. 18 lines 39-41. The data for the control is inherently stored in a table. Further, “applications running on one or more computer systems. The applications commence operation in a consistent state and the consistency is maintained by distributing commands to each application...” in col. 1 line 67 to col. 2 line 3.)
- updating the first property table with the modification made to the second property and updating the second property table with the modification made to the first property (“the data changes...a command is executed which changes the value of the data being reflected by the control” in col. 18 lines 39-41. The data for the control is inherently stored in a table. Further, “applications running on one or more computer systems. The applications

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commence operation in a consistent state and the consistency is maintained by distributing commands to each application..." in col. 1 line 67 to col. 2 line 3.)

substantially as claimed.

Per claim 15:

The rejection of claim 14 is incorporated, and further, Schaeffer discloses the first development application being associated with a first development and the second development application is associated with a second development client as claimed ("applications running on one or more computer systems. The applications commence operation in a consistent state and the consistency is maintained by distributing commands to each application..." in col. 1 line 67 to col. 2 line 3. A first application would inherently be running on a first client, and a second application would inherently be running on a second client.)

Per claim 16:

The rejection of claim 14 is incorporated, and further, Schaeffer discloses updating occurring substantially simultaneous with the modifications to the first and second properties ("their copies will be remain 'in sync' as they make changes..." in col. 7 lines 16-17)

Per claim 17:

The rejection of claim 14 is incorporated, and further, note the rejection regarding claim 5.

Per claim 18:

Schaeffer discloses:

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- a method of updating a software application (“development environment...” in col. 3 line 37)
- receiving a first copy of a software application from a software application server (“retrieves a copy of the document from the model server...” in col. 38 lines 19-20)
- running the first copy of the software application (“an application or applications running on one or more computer systems” in col. 1 lines 67-68)
- receiving an update to at least one property of the software application (Note Fig. 18, item 1880 and the corresponding sections of the disclosure)
- updating the at least one property while the application is running (“the data changes...a command is executed which changes the value of the data being reflected by the control” in col. 18 lines 39-41)

substantially as claimed.

Per claim 19:

The rejection of claim 18 is incorporated, and further, Schaeffer discloses receiving an update in response to a modification made to a second copy of the software application which is being developed while the first copy of the software application is running as claimed (“a command performed by one collaborator can be sent to the others and performed on their machines as well. If the collaborators start with identical copies of the data, then their copies will be remain ‘in sync’ as they make changes” in col. 7 lines 12-17)

Per claim 20:

The rejection of claim 18 is incorporated, and further, note the rejection regarding claim 2.

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Per claim 21:

The rejection of claim 20 is incorporated, and further, note the rejection regarding claims 7 and 8.

Per claim 22:

The rejection of claim 21 is incorporated, and further, note the rejection regarding claims 7 and 8.

The property is inherently replaced when changed.

Per claim 23:

Claim 23 is directed to a system for performing the method of claim 1, and is rejected for the reasons set forth in connection with claims 1 and 14.

Per claim 24:

The rejection of claim 23 is incorporated, and further, note the rejection regarding claim 14.

Per claim 25:

The rejection of claim 24 is incorporated, and further, Schaeffer discloses modifying the properties of its software application and forwarding the update notice to each of its clients as claimed ("When a change occurs the encapsulator asks the model to propagate notification about the change to all interested clients" in col. 10 lines 12-14)

Per claim 26:

The rejection of claim 25 is incorporated, and further, note the rejection regarding claim 2.

Per claim 27:

The rejection of claim 23 is incorporated, and further, note the rejection regarding claim 1.

Per claim 28:

The rejection of claim 27 is incorporated, and further, Schaeffer discloses that each client may run its copy of the software application and receive update notices from the SAS regardless of whether another client is running a copy of the software application (“dynamically synchronizing an application...” in col. 1 line 67)

Per claim 29:

The rejection of claim 24 is incorporated, and further, note the rejection regarding claim 5.

Per claim 30:

The rejection of claim 27 is incorporated, and further, Schaeffer discloses the AC being a backup for the application software as claimed (“the collaborators start with identical copies of the data, then their copies will be remain ‘in sync’ as they make changes” in col. 7 lines 14-17)

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trent J Roche whose telephone number is (571)272-3733. The examiner can normally be reached on Monday - Friday, 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571)272-3719. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Trent J Roche
Examiner
Art Unit 2124

TJR


ANIL KHATRI
PRIMARY EXAMINER